

# Greenberg Traurig

April 16, 2007

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
District of Delaware  
844 King Street  
Wilmington, DE 19801

**Re: *Magten Asset Management Corp. and Law Debenture Trust Co. v. NorthWestern Corp.; C.A. No. 04-1494-JJF;*  
*Magten Asset Management Corp. v. Mike J. Hanson and Ernie J. Kindt; C.A. No. 05-0499-JJF***

Dear Judge Farnan:

I write on behalf of Plaintiff NorthWestern Corporation in the above-referenced matters. Today we have filed on behalf of NorthWestern an Emergency Cross Motion for an order that the Plaintiffs and their counsel immediately comply with their obligations under paragraph 8 of the Stipulated Protective Order so ordered by the Court on March 21, 2007, and for an Order truncating the briefing schedule under Local Rule 7.1.2 and setting an immediate telephonic hearing on the matter [Docket No. 145] and Memorandum and Affidavit in Support [Docket Nos. 146 and 147] thereof, copies of which are attached hereto. We originally intended to direct this motion to the attention of Special Master John E. James, but he has informed us that he is designated as a Special Master on an ad hoc basis and recommended that we present these issues to Your Honor in the first instance.

We also wish to make clear to Your Honor that the Cross Motion is not in response to the Emergency Motion to Compel the Production of Documents [Docket No. 139] which was filed on behalf of Plaintiff, Magten Asset Management, on the evening of Friday, April 13, 2007. NorthWestern will respond to that Motion in due course.

Respectfully submitted,

  
Victoria W. Counihan (No. 3488)

Enclosure

cc: Dale R. Dube, Esq.  
Bonnie Steingart, Esq.  
Gary L. Kaplan, Esq.

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Kathleen M. Miller, Esq.  
Bijan Amini, Esq.  
Amanda Darwin, Esq.  
John V. Snellings, Esq.  
Stanley T. Kaleczyc, Esq.  
Kimberly Beatty, Esq.  
Denise Seastone Kraft, Esq.  
Paul Spagnoletti, Esq.  
Joseph D. Pizzurro, Esq.  
Steven J. Reisman, Esq.  
David A. Jenkins, Esq.  
Robert J. Dehney, Esq.  
Curtis S. Miller, Esq.  
Jesse H. Austin, III, Esq.  
Kerri K. Mumford, Esq.  
Philip Bentley, Esq.  
Bonnie Fatell, Esq.  
John W. Brewer, Esq.  
Rebecca Butcher, Esq.  
Nancy Delaney, Esq.  
Dennis E. Glazer, Esq.  
Adam G. Landis, Esq.  
Avery Samet, Esq.  
Bradley Silverman, Esq.  
Matthew Williams, Esq.  
John James, Esq.